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PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL SERVICES

Mr. Lloyd J. Tabary II
DSM Copolymer
8560 Anselmo Lane
Baton Rouge, LA 70810

RE: DSM Copolymer Addis Facility
Notice of Intent to Terminate Hazardous Waste Operating Permit
AI# 2519/PER20100001 – LAD059130831/LAD059130831-OP-1

Dear Mr. Tabary:

Enclosed is the notice of intent to terminate the hazardous waste operating permit for DSM Copolymer (DSM). This notice of intent to terminate includes the draft termination of permit document, fact sheet and public notice.

DSM was issued a hazardous waste operating permit for two RCRA treatment, storage and disposal (TSD) facilities: one boiler and industrial furnace (BIF-Boiler No. 3) and one storage tank (TK-85-35118). The boiler was used to burn hazardous waste for energy recovery. The Louisiana Department of Environmental Quality (LDEQ) approved the closure of the permitted hazardous waste units on April 13, 2006. In addition, on September 26, 2008, DSM completed the corrective action obligations required by the hazardous waste operating permit by obtaining a no further action determination from LDEQ for the Addis facility. Thus, LDEQ has made the determination that the hazardous waste operating permit may be terminated.

LAC 33:V.323.B.3 states that a notice of intent is a type of draft permit. Accordingly, a comment period of forty-five (45) days will be allowed in order for the public to review and comment. By requests and if the LDEQ finds a significant degree of public interest, a public hearing will also be scheduled at least forty-five (45) days after the date on which the public notice is given.

Prior to taking a final action, the LDEQ will consider all significant comments submitted on this action. Written comments must be submitted no later than 12:30 p.m. on the final day of the comment period. The issuance of the final permit decision will be in accordance with LAC 33:V.705.

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Please reference your Agency Interest Number 2519, Permit Activity Number PER20100001, EPA Identification Number LAD059130831, and Permit Number LAD059130831-OP-1 on all future correspondence pertaining to this issue. If you have any questions, please contact Mr. Will F. Steele of the Waste Permits Division at (225) 219-3050.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Phillips", written in a cursive style.

Sam Phillips
Administrator

wfs

Enclosure

c. Kristine Carter, OES-RSD

FACT SHEET

NOTICE OF INTENT TO TERMINATE HAZARDOUS WASTE OPERATING PERMIT

DSM COPOLYMER

EPA ID# LAD059130831

Agency Interest #2519

Highway 1 South
Addis, Louisiana 70710-2030

Permit Number LAD059130831-OP-1
PER20100001

I. SUMMARY

The Louisiana Department of Environmental Quality (LDEQ) proposes to terminate the hazardous waste operating permit held by DSM Copolymer (DSM) for the Addis Facility. Since all RCRA treatment, storage and disposal units at the Addis Facility have been closed and DSM has completed all the corrective action obligations as required by the permit, then LDEQ notices the proposed action to terminate the RCRA permit.

The Louisiana Department of Environmental Quality - Office of Environmental Services, Waste Permits Division, issued DSM a Hazardous Waste Operating Permit (LAD059130831-OP-1) which was effective on February 20, 2004.

II. INTRODUCTION

This fact sheet has been developed in accordance with the Louisiana Administrative Code (LAC) 33:V.703.D and briefly sets forth principal and significant facts, legal, methodological and policy requirements of the proposed permit termination for DSM, EPA ID Number LAD059130831, Agency Interest Number 2519 for the Addis Facility located in Addis, Louisiana, West Baton Rouge Parish.

The termination of the hazardous waste permit addresses the requirements of LAC 33:V.323.B.3.

III. THE PERMIT TERMINATION PROCESS

A. Hazardous Waste Termination Provisions

If the Administrative Authority tentatively decides to terminate a permit under

LAC 33:V.323.B.3, a notice of intent to terminate must be issued. A notice of intent to terminate is a type of draft permit that follows the same procedures as a draft permit prepared under LAC 33:V.703.C.

Therefore, the notice of intent to terminate the permit shall be accompanied by a fact sheet (LAC 33:V.703.D), and shall be based on the administrative records, public noticed (LAC 33:V.317), and made available for public comment (LAC 33:V.707). The Administrative Authority shall give notice of opportunity for a public hearing (LAC 33:V.711), and respond to comments (LAC 33:V.707).

After the close of the public comment period under LAC 33:V.707 on a draft permit decision, the Administrative Authority shall notify the permittee and each person who has submitted written comments or requested notice of the final permit decision. This notice shall include references to procedures for appealing a decision. For the purpose of this section, a final permit decision means a final decision to terminate a permit.

A final permit decision shall become effective 30 days after the service of notice of the decision under LAC 33:V.33:V.705.A, unless:

1. A later effective date is specified in the decision;
2. Review is requested under R.S. 30:2024; and
3. No comments requested a change in the draft permit decision (i.e., the decision to terminate the permit), in which case the permit decision shall become effective immediately upon issuance.

B. PUBLIC COMMENT PERIOD

LAC 33:V.715 requires that the public be given at least forty-five (45) days to comment on a draft permit decision.

The specific dates for the opening and closing of the public comment period are contained in the public notice that was issued for this particular permitting action. Any person interested in commenting on the draft permit termination for DSM must do so within the allotted forty-five (45) day comment period.

Public notice of the proposed permitting action shall be published in specified newspapers, announced on the designated radio station, and mailed to those persons contained on the facility's mailing list.

A public hearing for the draft permit decision will be held only if there is significant interest. The date, location and time would be provided in the public notice for the hearing. LDEQ will hold the hearing at least forty-five (45) days after the date on which the public notice is given.

C. LOCATIONS OF AVAILABLE INFORMATION

The administrative record, including all supporting documents is on file at the LDEQ Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, Louisiana. These documents may be inspected and copied (at \$0.25 per copy page) at any time between the hours of 8:00 to 4:30 p.m., Monday through Friday (except holidays).

In addition, a copy of the draft permit termination, fact sheet, and supporting documents are available for review at the West Baton Rouge Parish Library, 830 North Alexander, Port Allen, Louisiana 70767.

D. WRITTEN COMMENT SUBMISSION

Interested persons may submit written comments on the draft permit termination to the Administrative Authority, at the address listed below, on or before the closing date of the comment period. All comments should include:

- (1) the name and address of the commenter,
- (2) a concise statement of the exact basis for any comment and supporting relevant facts, upon which the comment is based,
- (3) identification of the facility commented on (the EPA Identification Number and the AI number), and
- (4) supporting relevant facts upon which the comments are based.

All comments, further requests for information (including copies of this decision and fact sheet), requests for a public hearing, and any requests by public interest groups or individuals who would like to be included in the mailing list, should be made in writing to

Ms. Soumaya Ghosn
Louisiana Department of Environmental Quality
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313
(225) 219-3276 or fax (225) 219-3309

Any technical questions regarding this draft permit should be addressed to:

Mr. Will F. Steele
Louisiana Department of Environmental Quality
Office of Environmental Services
Waste Permits Division
P.O. Box 4313
Baton Rouge, Louisiana 70821-4313
(225) 219-3050 or fax (225) 219-3158

IV. DESCRIPTION OF OVERALL SITE

DSM Copolymer's Addis site operations consisted of the production of solid and liquid polymer from ethylene and propylene monomers. The polymer produced at the Addis plant was used in the manufacture of synthetic rubber, which was used to make tires, belts and sealants. Before the final synthetic polymer was processed for shipping, a stripping process was used to remove solvent and unpolymerized monomer. The monomer and the solvent were sent to a separate recovery station, but still bottoms remained which were processed as hazardous waste. The hazardous waste was stored in a storage tank (TK-75-34113), diverted into a feed tank (TK-81-35118) and burned for energy recovery in a boiler and industrial furnace (BIF) (Boiler No. 3). All hazardous waste at the DSM Copolymer site was either used as a fuel onsite or shipped off-site to an EPA regulated hazardous waste treatment, storage and disposal (TSD) facility.

V. PERMITTED HAZARDOUS WASTE FACILITIES

The DSM Copolymer Addis site had one (1) steam generating boiler (Boiler No. 3) that had the capability to burn hazardous waste fuel for energy recovery. The hazardous waste was stored in Tank TK-75-34113 (16,000 gallon), which in turn fed TK-81-35118 (5,000 gallon) supplying the hazardous waste boiler. Tank TK-81-35118 and Boiler No. 3 were the only permitted hazardous waste units at the DSM Copolymer Addis site. The storage tank, TK-75-34113, was a less than ninety (90) day storage tank and was governed by the regulations for less than ninety (90) day storage units.

In 2004, DSM began preparations to sell the Addis property. Production units were dismantled and either sold or scrapped. DSM proceeded to close the permitted hazardous waste units, Boiler No. 3 and the storage tank, TK-75-34113. LDEQ approved closure of the permitted hazardous waste units on April 13, 2006. As part of the HSWA requirements of the operating permit, the RCRA Facility Investigation (RFI) was pushed forward. Fourteen solid waste management units (SWMU's) and three areas of concern (AOC's) were investigated and evaluated under LDEQ's RECAP regulation. The final RFI Report is dated March 14, 2007, and includes "no further action" requests for the SWMU's and AOC's at the Addis facility. Additional sampling was performed in May 2008 to confirm the results. On September 26, 2008, LDEQ issued a no further action notification to DSM Copolymer for the Addis facility.

VI. RATIONAL FOR PERMIT TERMINATION

DSM has closed all hazardous waste units in accordance with the hazardous waste permit, LAD059130831-OP-1. In addition to the hazardous waste closure requirements, DSM was obligated to perform site-wide corrective action in accordance with the HSWA section of the hazardous waste permit. DSM completed all the corrective action requirements and received a no further action determination from LDEQ on September 26, 2008. In addition to meeting the requirements of the hazardous waste permit, DSM has dismantled all production units at the Addis Facility.

Having fulfilled the obligations of the hazardous waste permit, LDEQ determined that DSM's hazardous waste permit, LAD059130831-OP-1, may be terminated.

DRAFT

TERMINATION OF PERMIT

Facility Name: DSM Copolymer

Facility I.D. Numbers: Agency Interest No. 2519
LAD059130831-OP-1
PER20100001

Type of Facility: DSM Copolymer operated a synthetic rubber manufacturing plant in Addis from 1968 to 2007. DSM Copolymer was issued a RCRA operating permit for a BIF unit and an associated feed tank on February 20, 2004.

Affected Units: Boilers #3 and tank TK-85-35118 were verified closed on April 11, 2006. Site-wide corrective action requirements were completed on September 26, 2008, with the issuance of a No Further Action at This Time decision.

Location: Highway 1, One Mile South Addis
Addis, LA 70710

Latitude 30° 20' 023" and Longitude 91° 15' 002"

Facility Contact: Lloyd J. Tabary II, Environmental Engineer

After due consideration of the facts applicable to the facility as they appear in the administrative record, and the requirements expressed in the Louisiana Environmental Quality Act and applicable regulations, I hereby terminate the final Hazardous Waste Permit LAD059130831-OP-1.

This action constitutes a permit decision for the above named facility and will become effective on _____.

DRAFT

Cheryl Sonnier Nolan, Assistant Secretary
Louisiana Department of Environmental Quality

Date

PUBLIC NOTICE
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
DSM COPOLYMER / ADDIS FACILITY
DRAFT HAZARDOUS WASTE OPERATING PERMIT
NOTICE OF INTENT TO TERMINATE

The LDEQ, Office of Environmental Services, is accepting written comments on a draft hazardous waste operating permit notice of intent to terminate for DSM Copolymer, 8560 Anselmo Lane, Baton Rouge, LA 70810 for the Addis Facility. **The facility is located on Highway 1, one mile south of Addis in West Baton Rouge Parish.**

DSM Copolymer was issued a hazardous waste operating permit for two RCRA treatment, storage, and disposal (TSD) facilities: one boiler and industrial furnace (BIF-Boiler No. 3) and one storage tank (TK-85-35118). In 2004, DSM Copolymer began preparations to sell the Addis facility. The Louisiana Department of Environmental Quality approved closure of the two RCRA units on April 13, 2006. In addition to the closure obligations, DSM Copolymer addressed site-wide corrective action concerns as required by the permit. DSM Copolymer received a no further action determination from the Louisiana Department of Environmental Quality on September 26, 2008, thus completing the corrective action obligations of DSM Copolymer at the Addis facility.

The LDEQ has made a tentative decision to terminate the hazardous waste operating permit for the DSM Copolymer Addis Facility. The LDEQ will make a final decision on the termination/revocation of the permit after consideration of all significant comments submitted during the comment period.

Written comments, written requests for a public hearing or written requests for notification of the final decision regarding this permit action may be submitted to Ms. Soumaya Ghosn at LDEQ, Public Participation Group, P.O. Box 4313, Baton Rouge, LA 70821-4313. **Written comments and/or written requests must be received by 12:30 p.m., Tuesday, June 29, 2010.** Written comments will be considered prior to a final permit decision.

If LDEQ finds a significant degree of public interest, a public hearing will be held. LDEQ will send notification of the final permit decision to the applicant and to each person who has submitted written comments or a written request for notification of the final decision.

The draft hazardous waste notice of intent to terminate and fact sheet are available for review at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). **The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at www.deq.louisiana.gov.**

An additional copy may be reviewed at West Baton Rouge Parish Library, 830 N. Alexander Avenue, Port Allen, LA.

Inquiries or requests for additional information regarding this permit action should be directed to Will F. Steele, LDEQ, Waste Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3050.

Persons wishing to be included on the LDEQ permit public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, P.O. Box 4313, Baton

Rouge, LA 70821-4313, by email at deqmaillistrequest@la.gov or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5337).

Permit public notices including electronic access to the draft permit termination and associated information can be viewed on the LDEQ permits public webpage at www.deq.louisiana.gov/apps/pubNotice/default.asp and general information related to the public participation in permitting activities can be viewed at www.deq.louisiana.gov/portal/tabid/2198/Default.aspx.

Alternatively, individuals may elect to receive the permit public notices via email by subscribing to the LDEQ permits public notice List Server at www.doa.louisiana.gov/oes/listservpage/ldeq_pn_listserv.htm

All correspondence should specify AI Number 2519, Permit Number LAD059130831, and Activity Number PER20100001.

Publication date: May 13, 2010